

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BARBARA ROLDAN,

Plaintiff,

-against-

CAFE LUGHNASA INC. d/b/a LANGAN'S and A&R :
KALIMIAN, LLC, :

Defendants. :

Civil Action No.
14 CV 2199

**DEFENDANT'S RULE 26
DISCLOSURE STATEMENT**

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Defendant, A&R Kalimian, LLC ("Kalimian") by its attorneys, Rosenberg & Estis P.C., pursuant to Rule 26 of the Federal Rules of Civil Procedure, discloses as follows based upon information reasonably available to Kalimian at this time:

Kalimian reserves the right to amend or supplement these initial disclosures as discovery progresses and should additional information become available. Kalimian also reserves the right to object to the admissibility of any information disclosed, and reserves all other applicable objections, including, without limitation to, objections based on relevance, privilege, work product, undue burden and confidentiality.

I. Disclosure of Witnesses

As presently advised, Kalimian believes that the following individual is likely to have discoverable information that Kalimian may use to support its claims or defenses, unless solely for impeachment:

James W. Sheehan, Director of Management
Roy-Al Company, Kalimian Organization
600 Lexington Avenue, 14th Floor

New York, New York 10022
(212) 751-8050

Kalimian further reserves the right to identify witnesses as discovery progresses in this action and additional information is obtained by Kalimian at any time, up to and including the time of trial. In addition, the persons and entities identified by Plaintiff in their initial disclosures may have discoverable information that Kalimian may rely on to support its claims or defenses and their identification is incorporated herein by reference.

II. Identification of Documents and Things

Kalimian believes that the following categories of documents and things in its possession, custody or control may be used to support its claims or defenses:

- Attached hereto as Exhibit "A" is an Agreement of Lease (the "Lease"), dated April 28, 1980, between 148-52 West 47th Street Co., predecessor-in-interest to Kalimian, and Charlie & Eddie Restaurant, Inc., predecessor-in-interest to Cafe Lughnasa Inc. ("Lughnasa"), as thereafter assigned and amended.

In addition, the documents identified by Plaintiff in their initial disclosures may have discoverable information that Kalimian may rely on to support its claims or defenses and their identification is incorporated herein by reference. Kalimian further reserves the right to identify additional documents as discovery progresses in this action and additional information is obtained by Kalimian.

III. Computation of Damages

Kalimian's damages include, inter alia, the costs and expenses incurred in connection with the defense of this action including, without limitation, attorneys' fees in an amount not presently known, but believed to exceed \$10,000.00.

IV. Insurance Agreements

Kalimian does not have an insurance policy that covers its potential liability for the category of claims asserted against it in Plaintiff's complaint. Kalimian filed a claim for coverage with its carrier, but the claim was denied. Kalimian's policy is located at the offices of Roy-Al Company, Kalimian Organization, whose office is located at 600 Lexington Avenue, 14th Floor, New York, New York 10022.

Dated: New York, New York
June 20, 2014

ROSENBERG & ESTIS, P.C.

Attorneys for Defendant

A&R Kalimian, LLC

By: 

Brett B. Theis

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